



N.C. Department of Environment and Natural Resources

Release: Immediate
Date: March 3, 2014

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State issues notices of violation for five more Duke Energy facilities

RALEIGH — As part of its ongoing probe into Duke Energy's coal ash ponds, state regulators late Friday issued notices of violation for five other Duke Energy power plants for failure to obtain a federally mandated National Pollution Discharge Elimination System, or NPDES, stormwater permit.

These notices of violation are in addition to two issued for violations at the Dan River power plant in Eden where a failed 48-inch stormwater pipe caused a massive spill of coal ash into the Dan River. Duke Energy has 30 days to respond to the notices for the stormwater violations for all six facilities cited. Duke Energy has 15 days to respond to the notice related to the wastewater violations at the Dan River facility.

Following the coal ash spill, regulators with the N.C. Department of Environment and Natural Resources began a lengthy review of the permit status of all 14 Duke Energy facilities across the state. DENR determined that the company had neither applied for nor obtained stormwater permits for six power plants, including the Dan River Steam Station. Four other facilities have NPDES stormwater applications under review by the department's Division of Energy, Mineral and Land Resources, while two additional facilities have separate stormwater requirements included in their current NPDES wastewater permits. One facility has withdrawn its stormwater permit and one has had its stormwater conditions rescinded. In both instances, there was no longer industrial activity covered by federal stormwater regulations at the facilities.

"Our agency is determined to make sure that all of these facilities are in compliance with state and federal law," said John Skvarla, secretary of the N.C. Department of Environment and Natural Resources. "We're doing everything in our power to prevent environmental disasters like what we've seen at the Dan River. We are committed to protecting public health and the natural resources of our state."

The five additional facilities receiving notices of violation are the Belews Creek Steam Station in Rockingham County, Cliffside Steam Station in Rutherford County, Lee Steam Electric Plant in Wayne County, Roxboro Steam Electric Power Plant in Person County, and Sutton Steam Electric Plant in New Hanover County.

The federal NPDES Stormwater Program regulates stormwater discharges from facilities that have industrial activities, including steam electric power generating facilities. The state Department of Environment and Natural Resources is delegated to implement the program in North Carolina.

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